

## Message Text

PAGE 01 NATO 04597 291829Z

15

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 INR-07 L-03 ACDA-05

NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00

SAJ-01 EB-07 NSC-05 ( ISO ) W

----- 032729

R 291729Z AUG 75

FM USMISSION NATO

TO SECSTATE WASHDC 3299

SECDEF WASHDC

USDOC WASHDC

LIMITED OFFICIAL USE USNATO 4597

E.O. 11652: N/A

TAGS: MARR NATO

SUBJ: DUTCH APPEAL AGAINST NICSMA FINDING PHILIPS BID NON-  
COMPLAINT ON TARE CONTRACT

REFS: A. USNATO 4446; B. USNATO 4478

SUMMARY. DUTCH AND NICSMA REPS TOLD PAYMENTS AND PROGRESS  
COMMITTEE 28 AUG 75 OF DUTCH APPEAL OF NICSMA FINDING THAT PHILIPS  
BID IS NON-COMPLIANT WITH NICS TARE SPECIFICATIONS. US REP  
SAID SHOULD P&P CONSIDER NETHERLANDS INTERVENTION FOR DUTCH FIRM,  
US EMPHASIZES THAT RIGHTS OF TWO US FIRMS WHO SUBMITTED BIDS  
MUST ALSO BE FULLY PROTECTED WITHIN LIMITS OF AGREED ICB PROCEDURES.  
P&P COMMITTEE AGREED 28 AUGUST AS STARTING DATE OF DUTCH APPEAL  
AND NOTED US REP'S STATEMENT CALLING FOR  
PROTECTION OF US BIDDERS. END SUMMARY.

1. THE DUTCH REP REQUESTED P&P COMMITTEE TO DESIGNATE 28 AUGUST  
AS STARTOF THREE-WEEK PERIOD PRESCRIBED IN ICB DISPUTE PROCEDURES  
(AC/4-D/2261 FINAL) FOR DISCUSSIONS BY THE PARTIES DIRECTLY  
INVOLVED (I.E., NICSMA AND NETHERLANDS) TOWARD AMICABLE RE-  
SOLUTION OF COMPLAINT BEFORE FORMAL DISPUTE PROCEDURES MIGHT  
BECOME NECESSARY. THE DUTCH REP ALSO STATED NETHERLANDS COULD NOT  
LIMITED OFFICIAL USE  
LIMITED OFFICIAL USE

PAGE 02 NATO 04597 291829Z

AGREE WITH NICSMA DIRECTOR GENERAL PERSONALLY TO LOOK AT THE  
COMPARATIVE BID PRICES.

2. THE US REP NOTED HIS UNDERSTANDING THAT NICSMA HAD FOUND

PHILIPS NON-COMPLAINT ON A SIGNIFICANT NUMBER OF KEY TECHNICAL SPECIFICATIONS. HE ALSO STATED THAT SHOULD THE COMMITTEE GIVE SERIOUS CONSIDERATION TO THE NETHERLANDS APPEAL FOR THE DUTCH FIRM, THE US MUST ALSO REQUIRE THAT THE RIGHTS OF THE TWO US FIRMS WHO BID BE CAREFULLY PROTECTED WITHIN THE LIMITS OF THE PROVISIONS OF THE APPROVED ICB PROCEDURES. US REP AGREED WITH

DUTCH POSITION AGAINST PREMATURE NICSMA LOOK AT BID PRICES.

3. NICSMA REP ACKNOWLEDGED THE GENERAL COMMITTEE BELIEF AGAINST THE LATTER PROPOSAL. HE ACKNOWLEDGED THAT DUTCH FIRM'S COMPLAINT ON BEING FOUND NON-COMPLIANT HAD BEEN FILED IN ACCORDANCE WITH PRESCRIBED DATES AND PROCEDURES.

4. ACCORDINGLY, THE P&P COMMITTEE RECOGNIZED 28 AUGUST AS THE BEGINNING OF THE THREE-WEEK PERIOD TO RESOLVE THE DUTCH COMPLAINT; NOTED THE US REQUIREMENT TO PROTECT THE RIGHTS OF THE TWO US FIRMS AS THE ONLY OTHER BIDDERS; AND SET 18 SEP 75 AS THE NEXT DATE FOR A REPORT ON PROGRESS IN RESOLVING THE DUTCH PROBLEM. BRUCE

LIMITED OFFICIAL USE

<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 18 AUG 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 AUG 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** buchant0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975NATO04597  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** n/a  
**Film Number:** n/a  
**From:** NATO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750897/abbrzlrj.tel  
**Line Count:** 77  
**Locator:** TEXT ON-LINE  
**Office:** n/a  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** A. USNATO 4446; B. USNATO 4478  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchant0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 APR 2003 by BoyleJA>; APPROVED <23 DEC 2003 by buchant0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** DUTCH APPEAL AGAINST NICSMA FINDING PHILIPS BID NON- COMPLAINT ON TARE      CONTRACT  
**TAGS:** MARR NATO  
**To:** STATE  
SECDEF  
USDOC  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006